United States Bankruptcy Court
Western District of North Carolina
P.O. Box 1778 Statesville, NC 28687-1778
SHELBY
Final Report and Account as of Oct 10, 2001

FILED
Clk, US Bankruptcy Court
OCT 15 2001
/tma
WDNC, Charlotte, NC

Debtor 1:
OLIVER MAX GARDNER III
403 S WASHINGTON ST
P O BOX 1000
SHELBY NC 28151
SSN1: 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
DBA: AKA GARDNER LAW OFFICES
AKA: O MAX GARDNER III
Employer for Debtor 1: 108476 PROF BANKRUPTCY
Employer for Debtor 2: 000000 NO EMPLOYER

Debtor 1 pays 2,400.00 MONTHLY

Attorney:
O MAX GARDNER III
ATTORNEY AT LAW
PO BOX 1000
SHELBY NC 28151-1000
Ph. (704) 487-0616

File Date: Jul 3, 1996
First Meeting Date: Aug 16, 1996
Confirmation Date: Sep 4, 1996
Modification Date:
Date Closed: Sep 17, 2001

Last 6 Receipts

| | |
|---|---|
| Jul 27, 2001 | 89,131.64 |
| Jun 27, 2001 | 2,400.00 |
| May 24, 2001 | 2,400.00 |
| Apr 25, 2001 | 2,400.00 |
| Mar 22, 2001 | 2,400.00 |
| Feb 20, 2001 | 2,400.00 |

Months Since Last Rcp 3
Months Since Filing 63

| | |
|---|---|
| Plan Terms | 60 |
| Base Amount | 200,000.00 |
| Total Paid In | 201,531.64 |
| Total Disbursed | 201,531.64 |
| Balance on Hand | .00 |
| Trustee's Percentage | 10.00 % |
| Min % to Unsecured | 100.00 % |
| Judge: | Marvin R. Wooten |
| Status: | COMPLETED |

Steven G. Tate, Trustee for the above case, submits the following Final Report and Account of the administration of the estate pursuant to 11 USC 1302(b)(1).

1. The case was filed on Jul 3, 1996 and confirmed on Sep 4, 1996. The case was subsequently COMPLETED

2. The amount paid to the Trustee by or on behalf of the debtor(s) was $201,531.64 .

3. The Trustee made disbursements to creditors as follows (Principal or interest due is the result of the termination of a plan confirmed to pay a specific amount and/or percentage into a plan which pays less than 100% of unsecured claims):

| Number | Name | Claim Num | NNDRSCS | Cred T Lv | Schedule Amount | Claim Amount | Int Rate | Monthly Payment | Principal Paid | Claim Adjust | Interest Paid | Principal Due | Principal Due/Arrears | Interest Due/Arrears |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 907003 | O MAX GARDNER III | 0000 | | | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 200000 | NOTICE FEES - TRUSTEE | 0000 | | | .00 | 108.00 | .00 | .00 | 108.00 | .00 | .00 | .00 | .00 | .00 |
| 400000 | NOTICE FEES - CLERK | 0000 | | | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 000000 | DEBTOR REFUNDS | 0000 | | | .00 | .00 | .00 | .00 | 5,858.95 | .00 | .00 | .00 | .00 | .00 |
| 100000 | TRUSTEE COMPENSATION | 0000 | | | .00 | .00 | .00 | .00 | 10,614.57 | .00 | .00 | .00 | .00 | .00 |
| 269544 | AT&T CAPITAL LEASING SERV INC SHARP COPY MACH LEAS 6777350 | 0001 | Y | U 80 | .00 | 7,617.82 | .00 | .00 | .00 | 7,617.82 | .00 | .00 | .00 | .00 |
| 074817 | RECEIVABLES CONTROL CORP RE AT&T CAPITAL CORP 8857301410 | 0002 | X | Z 99 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 417735 | AT&T CAPITAL LEASED COPY MACHINE 6777350 | 0003 | X | Z 99 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 372823 | CENTURA BANK HOME/LAND/AUTOS 0095150081338 | 0004 | | S 50 | 17,723.44 | 19,377.29 | 10.00 | .00 | 19,377.29 | .00 | 3,865.18 | .00 | .00 | .00 |
| 104859 | CENTURA BANK | 0005 | O | M 98 | 329,026.81 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |

| | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | HOME/LAND | 10073633 | | | | | | | | | | | | |
| 104859 | CENTURA BANK | 0006 | | N 50 | 9,666.84 | 9,676.84 | 9.50 | .00 | 9,676.84 | .00 | 1,826.29 | .00 | .00 | .00 |
| | | 10073633 | | | | | | | | | | | | |
| 146223 | FIRST NATL BANK OF SHELBY | 0007 | O | M 98 | 30,000.00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| | 3RD D/T | | | | | | | | | | | | | |
| 146223 | FIRST NATL BANK OF SHELBY | 0008 | X | N 99 | 2,428.00 | .00 | 10.00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| | 3RD MRT/DO NOT ADD | CLAIM C O OF 121898 | | | | | | | | | | | | |
| 011767 | CLEVELAND COUNTY TAX COLLECTOR | 0009 | | P 50 | 4,256.52 | 4,258.02 | 8.00 | .00 | 4,258.02 | .00 | 576.94 | .00 | .00 | .00 |
| | 94 TAX | 7720002 | | | | | | | | | | | | |
| 011767 | CLEVELAND COUNTY TAX COLLECTOR | 0010 | | P 50 | 36.52 | 41.72 | 8.00 | .00 | 41.72 | .00 | 6.46 | .00 | .00 | .00 |
| | 94 TAX | 1080199 | | | | | | | | | | | | |
| 011767 | CLEVELAND COUNTY TAX COLLECTOR | 0011 | | P 50 | 4,261.89 | 4,263.39 | 8.00 | .00 | 4,263.39 | .00 | 577.65 | .00 | .00 | .00 |
| | 95 TAX | 7720002 | | | | | | | | | | | | |
| 011767 | CLEVELAND COUNTY TAX COLLECTOR | 0012 | | P 50 | 47.83 | 235.47 | 8.00 | .00 | 235.47 | .00 | 32.19 | .00 | .00 | .00 |
| | 94/95 TAX | 1040135 | | | | | | | | | | | | |
| 011767 | CLEVELAND COUNTY TAX COLLECTOR | 0013 | | P 50 | 57.28 | 634.62 | 8.00 | .00 | 634.62 | .00 | 86.06 | .00 | .00 | .00 |
| | 92/93 TAX | 16424551/1040135 | | | | | | | | | | | | |
| 011767 | CLEVELAND COUNTY TAX COLLECTOR | 0014 | | P 50 | 4,500.00 | 4,465.74 | 8.00 | .00 | 4,465.74 | .00 | 605.09 | .00 | .00 | .00 |
| | 96 TAX | 7720002 | | | | | | | | | | | | |
| 011767 | CLEVELAND COUNTY TAX COLLECTOR | 0015 | | P 50 | 99.59 | 393.20 | 8.00 | .00 | 393.20 | .00 | 53.75 | .00 | .00 | .00 |
| | 93/95 | 1065738 | | | | | | | | | | | | |
| 011767 | CLEVELAND COUNTY TAX COLLECTOR | 0016 | | P 50 | 318.34 | 316.37 | 8.00 | .00 | 316.37 | .00 | 43.25 | .00 | .00 | .00 |
| | 91 TAX | 7720001 | | | | | | | | | | | | |
| 011767 | CLEVELAND COUNTY TAX COLLECTOR | 0017 | | P 50 | 121.21 | 117.97 | 8.00 | .00 | 117.97 | .00 | 16.71 | .00 | .00 | .00 |
| | 93 TAX | 7720001 | | | | | | | | | | | | |
| 011767 | CLEVELAND COUNTY TAX COLLECTOR | 0018 | | P 50 | 131.45 | 127.93 | 8.00 | .00 | 127.93 | .00 | 17.94 | .00 | .00 | .00 |
| | 93 TAX | 7720001 | | | | | | | | | | | | |
| 009001 | INTERNAL REVENUE SERVICE | 0019 | | P 70 | 11,314.44 | 47,054.99 | .00 | .00 | 47,054.99 | .00 | .00 | .00 | .00 | .00 |
| | 92-95 TAXES | 239700155 | | | | | | | | | | | | |
| 009001 | INTERNAL REVENUE SERVICE | 0020 | | U 80 | 7,835.49 | 4,760.74 | .00 | .00 | 4,760.74 | .00 | .00 | .00 | .00 | .00 |
| | PENALTY | 239700155 | | | | | | | | | | | | |
| 009001 | INTERNAL REVENUE SERVICE | 0021 | X | P 99 | 11,567.43 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| | 92 TAX | 239700155 | | | | | | | | | | | | |
| 009001 | INTERNAL REVENUE SERVICE | 0022 | X | A 99 | 15,580.79 | .00 | 8.00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| | 94 FED WH TAX | 239700155 | | | | | | | | | | | | |
| 009001 | INTERNAL REVENUE SERVICE | 0023 | X | P 99 | 1,000.00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| | 95 EST 1040 TAX | 239700155 | | | | | | | | | | | | |
| 010814 | NC DEPT OF REVENUE | 0024 | | P 70 | 3,486.70 | 2,903.48 | .00 | .00 | 2,903.48 | .00 | .00 | .00 | .00 | .00 |
| | 93 PERS TAX | 239700155 | | | | | | | | | | | | |
| 372537 | FDS NATIONAL BANK | 0025 | Y | U 80 | .00 | 581.07 | .00 | .00 | .00 | 581.07 | .00 | .00 | .00 | .00 |
| | BLOOMINGDALES | 49529472 | | | | | | | | | | | | |

| | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 060849 | CAPITAL ONE AN AFFILIATE OF<br>CREDIT CARD PURCH 4121741323641782 | 0026 | | U 80 | 1,892.41 | [illegible] | .00 | .00 | 2,012.47 | .00 | .00 | .00 | .00 | .00 |
| 030615 | CLEVELAND GASTROENTEROLOGY<br>11782 | 0027 | | U 80 | 104.20 | 104.20 | .00 | .00 | 104.20 | .00 | .00 | .00 | .00 | .00 |
| 109735 | JON BARRY & ASSOC<br>RE CLEVE GASTRO 375915 | 0028 | X | Z 99 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 011879 | CLEVELAND REGIONAL MEDICAL CTR<br>08686330 | 0029 | | U 80 | 143.78 | 3,520.76 | .00 | .00 | 3,520.76 | .00 | .00 | .00 | .00 | .00 |
| 011879 | CLEVELAND REGIONAL MEDICAL CTR<br>08764000 | 0030 | X | U 99 | 55.62 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 011879 | CLEVELAND REGIONAL MEDICAL CTR<br>08603760 | 0031 | X | U 99 | 432.78 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 011879 | CLEVELAND REGIONAL MEDICAL CTR<br>08617600 | 0032 | X | U 99 | 114.60 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 011879 | CLEVELAND REGIONAL MEDICAL CTR<br>08623980 | 0033 | X | U 99 | 439.20 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 011879 | CLEVELAND REGIONAL MEDICAL CTR<br>08686330 | 0034 | X | U 99 | 1,032.00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 011879 | CLEVELAND REGIONAL MEDICAL CTR<br>0849728R | 0035 | X | U 99 | 105.00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 011879 | CLEVELAND REGIONAL MEDICAL CTR<br>08538630 | 0036 | X | U 99 | 439.75 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 011879 | CLEVELAND REGIONAL MEDICAL CTR<br>08541770 | 0037 | X | U 99 | 1,093.30 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 434559 | SOUTHEASTERN CREDIT BUREAU<br>RE CLEVE MEM HOSP | 0038 | X | Z 99 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 076299 | MAX RECOVERY INC<br>4340090100196155 | 0039 | | U 80 | 2,384.77 | 2,451.27 | .00 | .00 | 2,451.27 | .00 | .00 | .00 | .00 | .00 |
| 025786 | BANKCARD CENTER<br>RE FIRST UNION BKCD 4340090100196155 | 0040 | X | Z 99 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 290273 | HAMRICK LEDBETTER & CO | 0041 | | U 80 | 1,330.00 | 7,655.00 | .00 | .00 | 7,655.00 | .00 | .00 | .00 | .00 | .00 |
| 151812 | HUDSONS<br>355807 | 0042 | | U 80 | 1,786.52 | 2,020.52 | .00 | .00 | 2,020.52 | .00 | .00 | .00 | .00 | .00 |
| 312777 | MAYO CLINIC<br>5012265 | 0043 | | U 80 | 10,449.68 | 5,304.35 | .00 | .00 | 5,304.35 | .00 | .00 | .00 | .00 | .00 |
| 094009 | THE MICHIE CO<br>BOOKS 2568530 | 0044 | | U 80 | 405.74 | 405.74 | .00 | .00 | 405.74 | .00 | .00 | .00 | .00 | .00 |
| 010049 | OLSEN & HARVEY<br>RE MICHIE CO 223006 | 0045 | X | Z 99 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 016434 | SHELBY TOWING | 0046 | X | U 99 | 50.00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |

| | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 011993 | SMART CORP<br>GA04770 | 0047 | X | U 99 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 306449 | WEST PUBLISHING CO<br>BOOKS 106198450 | 0048 | | U 80 | 690.58 | 857.34 | .00 | .00 | 857.34 | .00 | .00 | .00 | .00 | .00 |
| 140439 | PAYCO GAC<br>RE WEST PUB CO 106198450 | 0049 | X | Z 99 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 028845 | WHITE BUSINESS MACHINES<br>COPIER SERV CONTRACT GA3321 | 0050 | X | U 99 | 382.38 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 306449 | WEST PUBLISHING CO<br>106198450 | 0051 | X | Z 99 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 041943 | PATRICIA W HARVEY - ATTORNEY<br>MICHIE CO | 0052 | X | Z 99 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 010814 | NC DEPT OF REVENUE<br>PENALTY 239700155 | 0053 | | U 80 | .00 | 1,365.27 | .00 | .00 | 1,365.27 | .00 | .00 | .00 | .00 | .00 |
| 011767 | CLEVELAND COUNTY TAX COLLECTOR<br>94,95,96,97 | 0054 | | P 50 | 4,934.68 | 4,934.68 | 8.00 | .00 | 4,934.68 | .00 | 688.66 | .00 | .00 | .00 |
| 104859 | CENTURA BANK<br>POST PETITION | 0055 | | N 50 | .00 | 10,091.84 | 9.50 | .00 | 10,091.84 | .00 | 1,372.52 | .00 | .00 | .00 |
| 020211 | LEONE PATHOLOGY ASSOCIATES<br>33766 | 0056 | | S 50 | .00 | 60.00 | .00 | .00 | 60.00 | .00 | .00 | .00 | .00 | .00 |
| 202635 | CHARLOTTE MEDICAL CLINIC INC<br>114231 | 0057 | | S 50 | .00 | 377.60 | .00 | .00 | 377.60 | .00 | .00 | .00 | .00 | .00 |
| 165775 | UNIVERSITY HOSPITAL<br>6624833 | 0058 | | S 50 | .00 | 190.84 | .00 | .00 | 190.84 | .00 | .00 | .00 | .00 | .00 |
| 247167 | CAROLINA PAIN & REHAB<br>1875 | 0059 | Y | S 50 | .00 | 208.38 | .00 | .00 | 15.10 | 193.28 | .00 | .00 | .00 | .00 |
| 026752 | GASTON MEMORIAL HOSPITAL<br>33585936 | 0060 | | S 50 | .00 | 219.78 | .00 | .00 | 219.78 | .00 | .00 | .00 | .00 | .00 |
| 016052 | PRESBYTERIAN HOSPITAL<br>1700-15071681 | 0061 | | S 50 | .00 | 62.84 | .00 | .00 | 62.84 | .00 | .00 | .00 | .00 | .00 |
| 035829 | NATIONWIDE CREDIT INC<br>RE PBY HOSP 11375549 | 0062 | X | Z 99 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 016052 | PRESBYTERIAN HOSPITAL<br>15050770 | 0063 | | S 50 | .00 | 463.79 | .00 | .00 | 463.79 | .00 | .00 | .00 | .00 | .00 |
| 016052 | PRESBYTERIAN HOSPITAL<br>1700 15060770 | 0064 | | S 50 | .00 | 201.40 | .00 | .00 | 201.40 | .00 | .00 | .00 | .00 | .00 |
| 011879 | CLEVELAND REGIONAL MEDICAL CTR<br>1085100E | 0065 | | S 50 | .00 | 27.74 | .00 | .00 | 27.74 | .00 | .00 | .00 | .00 | .00 |
| 011879 | CLEVELAND REGIONAL MEDICAL CTR<br>1085100E | 0066 | | S 50 | .00 | 316.75 | .00 | .00 | 316.75 | .00 | .00 | .00 | .00 | .00 |

| | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 011879 | CLEVELAND REGIONAL MEDICAL CTR 1105321 | 0067 | | S 50 | .00 | 318.15 | .00 | .00 | 318.15 | .00 | .00 | .00 | .00 | .00 |
| 011879 | CLEVELAND REGIONAL MEDICAL CTR 11145540 | 0068 | | S 50 | .00 | 108.04 | .00 | .00 | 108.04 | .00 | .00 | .00 | .00 | .00 |
| 011879 | CLEVELAND REGIONAL MEDICAL CTR 11163040 | 0069 | | S 50 | .00 | 9.49 | .00 | .00 | 9.49 | .00 | .00 | .00 | .00 | .00 |
| 011879 | CLEVELAND REGIONAL MEDICAL CTR 1085100E | 0070 | | S 50 | .00 | 94.59 | .00 | .00 | 94.59 | .00 | .00 | .00 | .00 | .00 |
| 103371 | SHELBY RADIOLOGICAL ASSOC PA 239700155/0003 | 0071 | | S 50 | .00 | 406.00 | .00 | .00 | 406.00 | .00 | .00 | .00 | .00 | .00 |
| 103371 | SHELBY RADIOLOGICAL ASSOC PA 239700155/002 | 0072 | | S 50 | .00 | 62.00 | .00 | .00 | 62.00 | .00 | .00 | .00 | .00 | .00 |
| 103371 | SHELBY RADIOLOGICAL ASSOC PA 239700155/0001 | 0073 | | S 50 | .00 | 63.00 | .00 | .00 | 63.00 | .00 | .00 | .00 | .00 | .00 |
| 522071 | MECKLENBURG RADIOLOGY 0315071681 | 0074 | Y | S 50 | .00 | 508.50 | .00 | .00 | .00 | 508.50 | .00 | .00 | 18.21 | .00 |
| 170541 | MILLER ORTHOPAEDIC CLINIC 49218 | 0075 | Y | S 50 | .00 | 145.70 | .00 | .00 | 97.62 | 48.08 | .00 | .00 | .00 | .00 |
| 170541 | MILLER ORTHOPAEDIC CLINIC 49218 | 0076 | Y | S 50 | .00 | 173.20 | .00 | .00 | 116.04 | 57.16 | .00 | .00 | .00 | .00 |
| 170541 | MILLER ORTHOPAEDIC CLINIC 49218 | 0077 | Y | S 50 | .00 | 75.00 | .00 | .00 | 42.39 | 32.61 | .00 | .00 | .00 | .00 |
| 226767 | MAYO CLINIC 5012265 | 0078 | Y | S 50 | .00 | 6,532.50 | .00 | .00 | 5,791.39 | 741.11 | .00 | .00 | .00 | .00 |
| 372823 | CENTURA BANK 0953000480 | 0079 | Y | S 50 | .00 | 162.93 | .00 | .00 | 120.45 | 42.48 | .00 | .00 | .00 | .00 |
| 016494 | DK FULK & ASSOCIATES RE CENTURA | 0080 | X | Z 99 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| 532938 | HARLAN APPRAISAL SERVICES | 0081 | | S 50 | .00 | 3,200.00 | .00 | .00 | 3,200.00 | .00 | .00 | .00 | .00 | .00 |
| 010814 | NC DEPT OF REVENUE 002316782 | 0082 | | S 50 | .00 | 16,127.62 | .00 | .00 | 16,127.62 | .00 | .00 | .00 | .00 | .00 |
| 008141 | HENDRICK APPLIANCE INC 005472 | 0083 | | S 50 | .00 | 7,102.84 | .00 | .00 | 7,102.84 | .00 | .00 | .00 | .00 | .00 |
| 500000 | CLERK U S BANKRUPTCY COURT 247167 CL# 59 CAROLINA PAIN & REHA | 0084 | Y | A 10 | .00 | 193.28 | .00 | .00 | 193.28 | .00 | .00 | .00 | .00 | .00 |
| 500000 | CLERK U S BANKRUPTCY COURT 372823 CL# 79 CENTURA BANK | 0085 | Y | A 10 | .00 | 42.48 | .00 | .00 | 42.48 | .00 | .00 | .00 | .00 | .00 |
| ** Totals ** | | | | | 481,727.56 | 185,111.54 | | .00 | 191,762.95 | 9,822.11 | 9,768.69 | .00 | 18.21 | .00 |

4. Summary of disbursements:

| | Secured | Priority | Unsecured | Administrative | Attorney | Other | Trustee | TOTAL |
|---|---|---|---|---|---|---|---|---|
| Total Scheduled | 388,845.09 | 46,133.88 | 31,167.80 | 15,580.79 | .00 | .00 | .00 | 481,727.56 |
| Total Claimed | 76,364.65 | 69,747.58 | 38,655.55 | 343.76 | .00 | .00 | .00 | 185,111.54 |
| Total Principal Paid | 74,741.43 | 69,747.58 | 30,456.66 | 343.76 | .00 | 5,858.95 | 10,614.57 | 191,762.95 |
| Total Claim Adjustment | 1,623.22 | .00 | 8,198.89 | .00 | .00 | .00 | .00 | 9,822.11 |
| Total Principal Due | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| Total Percent Principal Paid | 100.00 % | 100.00 % | 100.00 % | 100.00 % | .00 % | .00 % | .00 % | |
| Total Continuing Debt Paid | .00 | .00 | .00 | .00 | .00 | .00 | .00 | |
| Total Interest Due/Arrears | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 |
| Total Interest Paid | 7,063.99 | 2,704.70 | .00 | .00 | .00 | .00 | .00 | 9,768.69 |
| GRAND TOTAL PAID IN PLAN | 81,805.42 | 72,452.28 | 30,456.66 | 343.76 | .00 | 5,858.95 | 10,614.57 | 201,531.64 |

Creditor Types

A- Administrative Costs
B- Base Attorney Fee(s)
E- Educational Loans
G- Secured-Monthly Payment
L- Legal Fees
M- Mortgage
N- Mortgage/Lease Arrears
P- Priority
S- Secured-Pro-Rata
U- Unsecured
V- Vehicle/Other Leases
Z- Notice Only

Creditor Levels

97- Claim Disallowed
98- Claim Paid Outside Plan
99- Proof of Claim Not Filed

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that copies of the foregoing Final Report and Account were served upon the above-referenced debtor(s) and counsel for the debtor(s) either by hand-delivery or first class mail, postage prepaid.

Dated: October 15, 2001

Steven G. Tate

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Chapter 13 Standing Trustee

CLERK, U.S. BANKRUPTCY COURT
P O BOX 34189
CHARLOTTE, NC 28234-4189

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
Shelby Division

Form #181

IN RE:
GARDNER III, OLIVER MAX

CASE NO: 96-40311

SSN#: 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
SSN#:

DEBTOR(S).

MOTION FOR DISCHARGE

Comes Steven G. Tate, Trustee in the above-named proceeding, respectfully moves the Court as follows: for issuance of a discharge to subject Debtor(s) pursuant to Title 11, United States Code Sec. 1328 (a) and a discharge of Trustee and his sureties from other further liabilities regarding the subject proceeding.

As grounds therefor, your movant states:

1. Debtor(s) have completed plan payments; and
2. Trustee has completed disbursements and issued reports as required by applicable laws and the Orders of the Court.

Dated: 10/15/2001

Respectfully submitted,
Steven G. Tate, Trustee

By: SANDRA HENDERSON
212 Cooper St.
PO Box 1778
Statesville, NC 28687-1778
Telephone: (704) 872-0068

**** NOTICE OF HEARING ON REVERSE SIDE ****

CLERK, U.S. BANKRUPTCY COURT

P O BOX 34189
CHARLOTTE, NC 28234-4189

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
Shelby Division

Form #181

IN RE:
GARDNER III, OLIVER MAX

CASE NO: 96-40311

SSN#: 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
SSN#: DEBTOR(S).

**NOTICE OF MOTION TO DISCHARGE DEBTOR(S)**

The Chapter 13 trustee has filed papers in the bankruptcy case for the debtor(s) named above for the Court to grant the discharge.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.**

If you do not want the Court to grant the relief requested by the trustee in the motion, or if you want the Court to consider your views on the motion, then you or your attorney must file with the Court a written response to the motion and a request for a hearing within ten (10) days of the date of this notice, at the following address:

CLERK, U.S. BANKRUPTCY COURT

P O BOX 34189
CHARLOTTE, NC 28234-4189

If you **mail** your response to the Court for filing, you must mail it it early enough for the Court to **receive** it on or before the deadline stated above.

You must serve a copy of your response on the trustee at the following mailing address:

Steven G. Tate
Standing Trustee
PO Box 1778
Statesville, NC 28687-1778

If a response is filed, a hearing on the trustee's motion will be scheduled. The date, time and location of the hearing will be provided by separate notice.

**No hearing will be held unless a response is filed.**

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Dated: 10/15/2001

Steven G. Tate
Chapter 13 Trustee

United States Bankruptcy Court
Western District of North Carolina
SHELBY DIVISION

In re: OLIVER MAX GARDNER III

Case No.96-40311
Chapter 13
Judge Marvin R. Wooten

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the
MOTION FOR DISCHARGE
has been served by ordinary United States mail, postage prepaid, this date on the parties whose names and addresses are listed below.

October 15, 2001
Date

SANDRA HENDERSON
Office of the Chapter 13 Trustee

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|---|---|
| Steven G. Tate<br>Standing Trustee<br>PO Box 1778<br>Statesville, NC<br>28687-1778 | CLERK, U.S. BANKRUPTCY COURT<br><br>P O BOX 34189<br>CHARLOTTE, NC<br>28234-4189 |
| OLIVER MAX GARDNER III<br>403 S WASHINGTON ST<br>P O BOX 1000<br>SHELBY NC<br>28151-1000 | O MAX GARDNER III<br>ATTORNEY AT LAW<br>PO BOX 1000<br>SHELBY NC<br>28151-1000 |
| AT&T CAPITAL<br>LEASING SER INC<br>PO BOX 85047<br>LOUISVILLE KY<br>40285-5047 | AT&T CAPITAL LEASING SERV INC<br><br>550 COCHITUATE ROAD<br>FRAMINGHAM MA<br>01701-0000 |
| BANKCARD CENTER<br><br>P O BOX 2357<br>BRUNSWICK GA<br>31521-2357 | CAPITAL ONE AN AFFILIATE OF<br>SIGNET BANK VIRGINIA<br>PO BOX 85167<br>RICHMOND VA<br>23285-0000 |
| CAROLINA PAIN & REHAB<br><br>PO BOX 4003<br>GASTONIA NC<br>28054-0000 | CENTURA BANK<br>ATTN: RICHARD J RAMSAY<br>P O BOX 700<br>ROCKY MOUNT NC<br>27802-0000 |
| CENTURA BANK<br>RECOVERY DEPT<br>P O BOX 1220<br>ROCKY MOUNT NC<br>27802-0000 | CHARLOTTE MEDICAL CLINIC INC<br><br>PO BOX 31667<br>CHARLOTTE NC<br>28231-0000 |
| CLERK U S BANKRUPTCY COURT<br>TURNOVERS TO CLERK<br>P O BOX 34189<br>CHARLOTTE NC<br>28234-4189 | CLEVELAND COUNTY TAX COLLECTOR<br>PO BOX 370<br>311 E MARION ST<br>SHELBY NC<br>28151-0370 |

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|---|---|
| CLEVELAND GASTROENTEROLOGY<br><br>808 N. WASHINGTON ST.<br>SHELBY, NC<br>28150-0000 | CLEVELAND REGIONAL MEDICAL CTR<br><br>201 GROVER STREET<br>SHELBY NC<br>28150-0000 |
| DK FULK & ASSOCIATES<br><br>P O BOX 11047<br>CHARLOTTE, NC<br>28220-0000 | FDS NATIONAL BANK<br>BLOOMINGDALES<br>9111 DUKE BLVD STE 100B<br>MASON OH<br>45040-0000 |
| FIRST NATL BANK OF SHELBY<br>ATTN MARY IZOKOVIC<br>P O BOX 206<br>EARL NC<br>28038-0000 | GASTON MEMORIAL HOSPITAL<br><br>P O BOX 1747<br>GASTONIA NC<br>28053-1747 |
| HAMRICK LEDBETTER & CO<br>418 W WARREN ST<br>P O BOX 277<br>SHELBY NC<br>28151-0277 | HARLAN APPRAISAL SERVICES<br>ATTN RL HARLAN<br>3000 MAPLEWOOD AVE STE 101<br>WINSTON SALEM NC<br>27103-0000 |
| HENDRICK APPLIANCE INC<br><br>1241 E DIXON BLVD SUITE 4<br>SHELBY NC<br>28152-0000 | HUDSONS<br><br>PO BOX 1177<br>SHELBY NC<br>28151-1177 |
| INTERNAL REVENUE SERVICE<br>ROOM 335<br>320 FEDERAL PLACE<br>GREENSBORO NC<br>27401-0000 | JON BARRY & ASSOC<br><br>PO BOX 1158<br>CONCORD NC<br>28026-1158 |
| LEONE PATHOLOGY ASSOCIATES<br><br>PO BOX 3628<br>GASTONIA NC<br>28054-0020 | MAX RECOVERY INC<br><br>PO BOX 10228<br>NEWARK NJ<br>07193-0228 |
| MAYO CLINIC<br><br>200 FIRST ST SW<br>ROCHESTER MN<br>55905-0000 | MAYO CLINIC<br><br>P O BOX 4004<br>ROCHESTER MN<br>55903-4004 |
| MECKLENBURG RADIOLOGY<br><br>P O BOX 221249<br>CHARLOTTE NC<br>28222-1249 | MILLER ORTHOPAEDIC CLINIC<br>1001 BLYTHE BLVD<br>SUITE 200<br>CHARLOTTE NC<br>28203-5811 |

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|---|---|
| NATIONWIDE CREDIT INC<br><br>305 N HURSTBOURNE<br>LOUISVILLE KY<br>40222-0000 | NC DEPT OF REVENUE<br>OFFICE SERV DIV/BANKRUPTCY UNT<br>PO BOX 1168<br>RALEIGH NC<br>27602-1168 |
| OLSEN & HARVEY<br><br>549 MERRIMON AVE<br>ASHEVILLE NC<br>28804-3465 | PATRICIA W HARVEY - ATTORNEY<br>OLSEN & HARVEY PLLC<br>549 MERRIMON AVE<br>ASHEVILLE NC<br>28804-0000 |
| PAYCO GAC<br>COMMERCIAL DIV<br>P O BOX 7431<br>DUBLIN OH<br>43017-0000 | PRESBYTERIAN HOSPITAL<br><br>PO BOX 31276<br>CHARLOTTE NC<br>28231-0000 |
| RECEIVABLES CONTROL CORP<br><br>P O BOX 9658<br>MINNEAPOLIS MN<br>55440-9658 | SHELBY RADIOLOGICAL ASSOC PA<br><br>805 N MORGAN ST<br>SHELBY NC<br>28150-3842 |
| SHELBY TOWING<br><br>821 S DEKALB ST<br>SHELBY NC<br>28150-0000 | SMART CORP<br><br>P O BOX 2826<br>TORRANCE CA<br>90509-2826 |
| SOUTHEASTERN CREDIT BUREAU<br><br>P O BOX 248<br>GASTONIA NC<br>28053-0248 | THE MICHIE CO<br><br>P O BOX 7587<br>CHARLOTTESVILLE VA<br>22906-7587 |
| UNIVERSITY HOSPITAL<br><br>P O BOX 60696<br>CHARLOTTE NC<br>28260-0696 | WEST PUBLISHING CO<br><br>P O BOX 64833<br>ST PAUL MN<br>55164-1803 |
| WHITE BUSINESS MACHINES<br><br>P O BOX 240637<br>CHARLOTTE NC<br>28224-0000 | |